

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOSE MORALES, et al.,)	8:08CV88
)	
Plaintiffs,)	
)	
v.)	MEMORANDUM AND ORDER
)	
GREATER OMAHA PACKING)	
COMPANY, INC.,)	
)	
Defendant.)	

GABRIEL SANCHEZ CLAUDIO, et al.,)	8:08:CV161
)	
Plaintiffs,)	
)	
v.)	MEMORANDUM AND ORDER
)	
GREATER OMAHA PACKING)	
COMPANY, INC.,)	
)	
Defendant.)	

This matter is before the court on defendant’s motion to dismiss certain class plaintiffs, Filing No. [214](#). The court previously ordered the plaintiffs to substitute new plaintiffs for Ivon Chavorin, Mercedes Estrella, Carlos Mejia, Jose Morales, Javier Moreno Perez and Carlos Suarez. Filing No. [212](#). The court gave the plaintiffs sixty days to substitute opt-in plaintiffs and stated that failure to do so may result the dismissal of those claims. Sixty days have passed and the plaintiffs have not responded. Accordingly, the court will grant defendant’s motion to dismiss, and will dismiss these named plaintiffs with prejudice, as party-plaintiffs and class representatives of both the Fair Labor Standards Act claims and the Rule 23 claims.

THEREFORE, IT IS ORDERED that defendant’s motion to dismiss, Filing No. [214](#), is granted. Plaintiffs Ivon Chavorin, Mercedes Estrella, Carlos Mejia, Jose Morales, Javier

Moreno Perez and Carlos Suarez are dismissed, with prejudice, as party-plaintiffs and class representatives of both the Fair Labor Standards Act claims and the Rule 23 claims.

DATED this 30th day of August, 2011.

BY THE COURT:

s/ Joseph F. Bataillon
Chief District Judge

*This opinion may contain hyperlinks to other documents or Web sites. The U.S. District Court for the District of Nebraska does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their Web sites. Likewise, the court has no agreements with any of these third parties or their Web sites. The court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the court.